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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/554,860	05/19/2000	CLAUDINE BRUCK	B45122	6653

20462 7590 03/22/2006

SMITHKLINE BEECHAM CORPORATION  
CORPORATE INTELLECTUAL PROPERTY-US, UW2220  
P. O. BOX 1539  
KING OF PRUSSIA, PA 19406-0939

EXAMINER

NOLAN, PATRICK J

ART UNIT PAPER NUMBER

1644

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, DC 20231  
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20060309

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents**

The communication filed 12-8-05 is not fully responsive to the Office communication mailed 6-6-05 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.


Since the reply appears to be bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick Nolan whose telephone number is 571-272-0847.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Christina Chan, can be reached at 571-272-0841.

  
Patrick J. Nolan, Ph.D.  
Primary Examiner, Group 1640  
March 9, 2006

## Notice to Comply

Application No.

09/554,860

Examiner

Patrick J. Nolan

Applicant(s)

BRUCK ET AL.

Art Unit

1644

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

## **STIC Biotechnology Systems Branch**

### **RAW SEQUENCE LISTING** **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/554,860C  
Source: IFW/6  
Date Processed by STIC: 12/13/05

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.2.2 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/24/05

## VERIFICATION SUMMARY

DATE: 12/13/2005

PATIENT APPLICATION: US/09/554,860C

TIME: 08:30:36

Input Set: A:\Seqlist.txt

Output Set: N:\CRF4\12132005\I554860C.raw

L:637 M:212 E:(34) Invalid or duplicate Sequence ID Number, SEQUENCE ID NOS:31 differs:1  
L:24 M:203 E:No of Seq Id differs, <160> Number of Sequences Input (30) Counted (31)

BEST AVAILABLE COPY



IFW16

## RAW SEQUENCE LISTING

DATE: 12/13/2005

PATENT APPLICATION: US/09/554,860C

TIME: 08:30:35

Input Set : A:\Seqlist.txt

Output Set: N:\CRF4\12132005\I554860C.raw

4 <110> APPLICANT: Smithkline Beecham Biologicals s.a.  
 5 Bollen, Alex  
 6 Bruck, Claudine  
 7 Jacobs, Paul  
 8 Massaer, Marc  
 10 <120> TITLE OF INVENTION: Recombinant Allergen With Reduced Enzymatic Activity  
 13 <130> FILE REFERENCE: B45122  
 15 <140> CURRENT APPLICATION NUMBER: US 09/554,860C  
 16 <141> CURRENT FILING DATE: 2000-05-19  
 18 <150> PRIOR APPLICATION NUMBER: PCT/EP98/07521  
 19 <151> PRIOR FILING DATE: 1998-11-16  
 21 <150> PRIOR APPLICATION NUMBER: GB9724531.0  
 22 <151> PRIOR FILING DATE: 1997-11-19  
 E--> 24 <160> NUMBER OF SEQ ID NOS: 30 31 (see below)  
 26 <170> SOFTWARE: FastSEQ for Windows Version 4.0

Does Not Comply  
Corrected Diskette Needed

## ERRORED SEQUENCES

629 <210> SEQ ID NO: 31 *last sequence in submitted file*  
 630 <211> LENGTH: 4  
 631 <212> TYPE: PRT  
 632 <213> ORGANISM: Artificial Sequence  
 634 <220> FEATURE:  
 635 <223> OTHER INFORMATION: Propeptide cleavage site  
 E--> 637 <400> SEQUENCE: ① 31 ← change to  
 638 Asn Ala Glu Thr  
 639 1

VERIFICATION SUMMARY

DATE: 12/13/2005

PATENT APPLICATION: US/09/554,860C

TIME: 08:30:36

Input Set : A:\Seqlist.txt

Output Set: N:\CRF4\12132005\I554860C.raw

L:637 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQUENCE ID NOS:31 differs:1

L:24 M:203 E: No. of Seq. differs, <160> Number Of Sequences:Input (30) Counted (31)